

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RIVERKEEPER, INC.  
Plaintiff,

v.

ALL ABOUT RECYCLING, INC; GENTILE  
CONSTRUCTION CORP.; ALL COUNTY MOBILE  
CONCRETE, INC.; JOSEPH GENTILE, JR.; and JOHN  
BERNAL, JR.,  
Defendants.

**MOTION FOR STAY AND NOTICE OF LOCAL DEFENDANTS ALL COUNTY MOBILE**

Plaintiff Riverkeeper, Inc. ("Riverkeeper")

Mobile Concrete and John Bernal, Jr. (together, the "ACMC Defendants") respectfully request the Court to stay all future deadlines in this matter until July 31, 2023. Plaintiff provides notice to the Court that Riverkeeper and the ACMC Defendants have entered into a proposed settlement of this case. Pursuant to the federal Clean Air Act, the U.S. Department of Justice ("DOJ") and the Environmental Protection Agency ("EPA") will have 45 days in which to review and provide any comments.

Application granted in part. The ACMC Defendants' time to answer or move with respect to the Complaint in accordance with the Court's Individual Practices is extended to July 31, 2023. The parties shall also file a joint status report with respect to settlement by that date.

The Clerk of Court is respectfully requested to terminate the motion sequence pending at Doc. 30.

SO ORDERED.

  
Philip M. Halpern  
United States District Judge

Dated: White Plains, New York  
June 16, 2023

§ 1365(c)(3); 40 C.F.R. § 135.5(b). Plaintiff has lodged a copy of the proposed Consent Decree with DOJ and EPA as required by the statute. Following the 45-day review period, the Parties will move the Court to enter the Consent Decree.

Respectfully submitted this 15th day of June, 2023.

/s/ Julia Muench  
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Super Law Group, LLC

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